United Nations A/71/817

General Assembly

Distr.: General
1 March 2017
English
Original: Spanish

Seventy-first session
Agenda items 31 and 84

Prevention of armed conflict

The rule of law at the national and international levels

Note verbale dated 24 February 2017 from the Permanent Mission of Nicaragua to the United Nations addressed to the Secretary-General

The Permanent Mission of Nicaragua to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to state its position on General Assembly resolution 71/248, the "International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011", and regarding the report on the implementation of that resolution (A/71/755).

In establishing this Mechanism, the General Assembly has exceeded the powers conferred upon it by the Charter of the United Nations; the Security Council is the sole organ with the mandate to establish such a mechanism. Furthermore, in an unfriendly act that violated the sovereignty of the Syrian people, the Assembly did not engage in prior consultation with the Syrian Arab Republic and adopted the resolution against that country's will. This infringes the right to, and the principles of, sovereignty and equality of all Members and non-intervention in the internal affairs of States, in accordance with Article 2 of the Charter.

By virtue of its Constitution, Nicaragua recognizes the right to sovereignty, independence and territorial integrity of States and the fundamental right to peace. As a country that has itself suffered under the yoke of foreign intervention, Nicaragua cannot participate in, or contribute to, the establishment of a mechanism which is the product of a vicious cycle of interventionist policies that continue the violation of international law, justify interventions and continue financing terrorist acts perpetrated against the Government of the Syrian Arab Republic.

In this regard, Nicaragua would like to place on record its rejection of both the issuance of the report and the establishment of the Mechanism. The solution to the Syrian conflict is to be found in dialogue and negotiation towards a political agreement that reflects the will of the Syrian people and Government, with the support of the international community and without foreign intervention.

17-03443 (E) 060317 060317

Please recycle

We call on the international community to join forces to combat terrorism and aggression against our peoples, which constitute the true threat to international peace and security. Nicaragua reiterates that the best way in which to support the Syrian people and Government is to cut off funding for terrorists who have been sponsored by powerful nations with geopolitical interests in the Syrian Arab Republic and the Middle East.

The Permanent Mission of Nicaragua would be grateful if the present note could be circulated as a document of the General Assembly, under agenda items 31 and 84